



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Civil No. 08cv0577-WQH(JMA)
)	
Plaintiff,)	JUDGMENT
)	OF RELEASE (VEHICLE)
v.)	
)	
\$18,152.00 IN U.S. CURRENCY,)	
)	
ONE 2002 VOLKSWAGEN JETTA,)	
BAJA CA LICENSE NO. AHF7024,)	
VIN# 3VWRV09M92M145274, ITS)	
TOOLS AND APPURTENANCES,)	
)	
Defendants.)	

Having reviewed the foregoing Joint Motion and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED and DECREED:

The Joint Motion is approved.

1. The parties, the United States of America, by and through its counsel, Karen P. Hewitt, United States Attorney, and David M. McNees, Special Assistant U.S. Attorney, and the claimant, Maria Amparo Garcia de Camacho ("Claimant"), and her attorney of record, Richard M. Barnett, have entered into a joint motion in order to resolve the matter of the seizure of the above-referenced defendant, One 2002 Volkswagen Jetta ("defendant vehicle"). The parties will continue litigation as to the defendant currency.

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2. The United States has agreed to the return of the defendant vehicle to Claimant. The Claimant shall provide \$500.00 to the United States to cover a portion of the costs associated with the seizure and storage of the defendant vehicle in the form of a cashier's check, made payable to the U.S. Marshal. All other costs incurred by the United States incident to the seizure and custody of the defendant vehicle shall be borne by the United States.

3. The person or persons who made the seizure or the prosecutor shall not be liable to suit or judgment on account of such seizure in accordance with Title 28, United States Code, Section 2465. Claimant agreed that by entering into this joint motion, she have not “substantially prevailed” within the meaning of 28 U.S.C. § 2465. Each party shall bear its own costs and expenses, including attorney fees.

4. Claimant warranted and represented as a material fact that she is the sole owner of the defendant vehicle and further warrants that no other person or entity has any right, claim or interest in the defendant vehicle, and that she will defend and indemnify the United States against any and all claims made against it on account of the seizure of the defendant vehicle.

5. The Claimant, her agents, employees, or assigns, shall hold and save harmless the United States of America, its agents and employees, from any and all claims which might result from the seizure of the defendant vehicle.

Let judgment be entered accordingly.

DATED: 1/29/09


WILLIAM Q. HAYES, Judge
United States District Court